

APPLICATION FOR PERMIT
TO APPROPRIATE THE PUBLIC WATERS OF THE STATE OF NEVADA

Date of filing in State Engineer's Office OCT 02 2006
Returned to applicant for correction OCT 18 2006
Corrected application filed _____
Map filed NOV 03 2006

The applicant **Omega Investments, LLC** hereby make application for permission to appropriate the public waters of the State of Nevada, as hereinafter stated.

1. The source of the proposed appropriation is **Underground Source**
2. The amount of water applied for is **2.02 AFA .0046 cfs** second-feet
 - (a) If stored in reservoir give number of acre-feet -
3. The water to be used for **Commercial and Domestic Use**
4. If use is for:
 - (a) Irrigation, state number of acres to be irrigated -
 - (b) Stockwater, state number and kinds of animals to be watered -
 - (c) Other use (describe fully under No. 12. "Remarks") **See No. 12 and attached fixture count sheet.**
 - (d) Power:
 - (1) Horsepower developed -
 - (2) Point of return of water to stream -
5. The water is to be diverted from its source at the following point **within the NW¼ of the NW¼ of Section 16, T.20S., R.53E., M.D.B.&M., Nye County, Nevada at a point from which the NW corner of said Section 16 bears N 76°46'28" W a distance of 513.87 feet.**
6. Place of Use **within the NE¼ of the NW¼ of the NW¼ of the NW¼ of Section 16, T. 20S., R.53E., M.D.B.&M., Nye County, Nevada being A.P.N. # 35-331-05**
7. Use will begin about **January 1st** and end about **December 31st** of each year.
8. Description of proposed works **Existing 8" well casing, submergible pump, pressure tank & distribution system and proposed totalizing meter**
9. Estimated cost of works **\$5000⁰⁰**
10. Estimated time required to construct works **2 - years**
11. Estimated time required to complete the application of water to beneficial use **5- year**

12. Remarks: This water system will provide service to a small commercial complex and caretaker on site; consisting of several existing building, basketball court, batting cages, mini-movie theater, concession stand, internet café with bar, pooltables and interactive golf. See attached fixture count.

Ronnie M. Phillips, Agent
By s/ Ronnie M. Phillips
1240 E. State Street, Suite #101
Pahrump, NV 89048

Compared mt/bk lt/gkl

Protested _____

APPROVAL OF STATE ENGINEER

This is to certify that I have examined the foregoing application, and do hereby grant the same, subject to the following limitations and conditions:

This permit is issued subject to existing rights. It is understood that the amount of water herein granted is only a temporary allowance and that the final water right obtained under this permit will be dependent upon the amount of water actually placed to beneficial use. It is also understood that this right must allow for a reasonable lowering of the static water level. This well shall be equipped with a two (2) inch opening for measuring depth to water. If the well is flowing, a valve must be installed and maintained to prevent waste. A totalizing meter must be installed and maintained in the discharge pipeline near the point of diversion and accurate measurements must be kept of water placed to beneficial use. The totalizing meter must be installed before any use of water begins, or before the Proof of Completion of Work is filed. This source is located within an area designated by the State Engineer, pursuant to NRS 534.030. The State retains the right to regulate the use of the water herein granted at any and all times.

This permit does not extend the permittee the right of ingress and egress on public, private or corporate lands.

The issuance of this permit does not waive the requirements that the permit holder obtain other permits from State, Federal and local agencies.

This permit is issued under the provisions of NRS 534.120(2) as a preferred use.

If any water under this permit is cancelled, withdrawn, or any water is not put to beneficial use, it will revert to the groundwater source and not back to the base water right.

Permit 74861 is issued for commercial water service to the parcel identified by the Nye County Assessor as APN 35-331-05. Upon cessation of pumping for commercial purposes at this place of use, the water under Permit 74861 shall return to the groundwater source and no application to change or relinquishment will be allowed.

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The amount of water to be appropriated shall be limited to the amount which can be applied to beneficial use, and not to exceed 0.01 cubic feet per second, but not to exceed 2.02 acre-feet annually.

Work must be prosecuted with reasonable diligence and proof of completion of work shall be filed on or before:

April 26 , 2008

Water must be placed to beneficial use and proof of the application of water to beneficial use shall be filed on or before:

April 26 , 2009

Map in support of proof of beneficial use shall be filed on or before:

N/A

IN TESTIMONY WHEREOF, I, TRACY TAYLOR, P.E.,
State Engineer of Nevada, have hereunto set
my hand and the seal of my office,
this 26 day of April, A.D. 2007

Tracy Taylor, P.E.
State Engineer

Completion of work filed _____
Proof of beneficial use filed _____
Cultural map filed N/A _____
Certificate No. _____ Issued _____